

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AMGEN, INC.,

Plaintiff,

v.

SANDOZ INC., *et al.*,

Defendants.

Civil Action No. 18-11026 (MAS) (DEA)
(Consolidated)¹

ORDER

This matter arises from Hatch-Waxman Act patent infringement claims brought by Plaintiff Amgen, Inc. (“Amgen”) against Defendants Dr. Reddy’s Laboratories, Inc. and Dr. Reddy’s Laboratories, Ltd. (together, “DRL”), Sandoz Inc., and Zydus Pharmaceuticals (USA) Inc. (“Zydus”) (collectively, “Defendants”). The Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338, as well as under 28 U.S.C. §§ 2201 and 2202. The Court conducted a nine-day bench trial in this matter from June 14, 2021, to June 25, 2021. (*See* ECF Nos. 479-87.) The parties submitted post-trial briefing, proposed findings of fact, and proposed conclusions of law on July 8, 2021. (ECF Nos. 467-71.) Closing arguments were heard on July 28, 2021. (ECF No. 492.) For the reasons set forth in the accompanying Opinion, and for other good cause shown,

¹ The Court consolidated docket numbers 18-11026, 18-11267, 18-11269, and 19-18806 for trial. (Stipulation & Order regarding Case Consolidation for Trial, ECF No. 424.) Docket number 18-11026 is the lead matter. (*Id.*)

IT IS on this 20th day of September 2021, **ORDERED** as follows:

1. Judgment of infringement is entered against Defendants in favor of Amgen on U.S. Patent No. 7,427,638 and U.S. Patent No. 8,455,536.
2. Judgment of non-infringement is entered in favor of Defendants on U.S. Patent No. 10,092,541.
3. Judgment of non-infringement is entered in favor of Zydus on U.S. Patent No. 7,893,101 (the “’101 Patent”).
4. Judgment of infringement is entered against DRL and Sandoz in favor of Amgen on the ’101 Patent.
5. Judgment of infringement is entered against Zydus in favor of Amgen on U.S. Patent No. 8,093,283.
6. The parties shall meet and confer and shall e-file a proposed form of judgment for each of the underlying cases by **September 27, 2021**.
7. The Clerk is directed to file the accompanying Opinion under temporary seal until further order of the Court.
8. To the extent that any party believes that portions of the Court’s Opinion should be permanently sealed, that party shall file (or the parties may jointly file) a formal motion to seal. Any motion to seal shall be filed by **October 20, 2021**.

s/ Michael A. Shipp

MICHAEL A. SHIPP

UNITED STATES DISTRICT JUDGE